

Considered: _____

WATER PERMIT NO. 5595-3

Phone: 854-3179

Name of Applicant: Edward Poppen

Post Office Address: RR 1, Box 116, DeSmet SD 57231

Amount of Water Claimed: no add'l Total Acres: 8 add'l

Source of Water Supply: groundwater

Water to be used for: irrigation County: Kingsbury

About 9N, 4W miles _____ of DeSmet

PROOF OF PUBLICATION: Received _____ Not Received _____

APPLICATION: Approved _____ Subject to _____

F.F.& C/.L. Adopted _____ Not Approved _____ Deferred _____

PRIORITY _____ Date Received: 11-12-91 Fee: \$150 Remarks 8 add'l

acres on Permit No. 2137-3

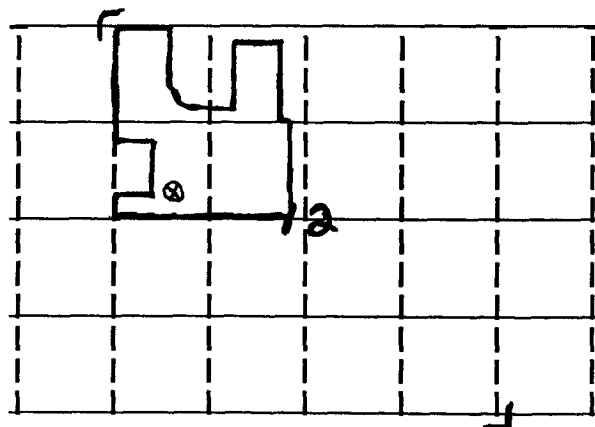
Corrected Application Received 11-22-91 Period of Annual Use April 1 - Oct 31

WATER QUALITY APPROVAL RECEIVED _____ APPROVED/CONDITIONAL (Circle one)

WI-1 Description same as Application YES _____ NO _____ REMARKS _____

Diversion Point: SW 1/4 NW 1/4 Sec 12-T112N-R57W

Land to be Irrigated: NW 1/4 Sec 12-T112N-R57W



Well Log: Driller: Gene Kaiser Licensed YES _____ NO _____

Depth of Well: 37' REMARKS _____

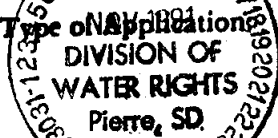
Type of Map: aerial PREPARED BY: Norma Job Reviewed and the Number

Assigned on 11-22-91 By Karen Schlaak

(See instructions)

No. 2137-3 Hydrologic Unit 10170103
Basin Vermillion River
Newspaper Deseret News, Box 69 (Wed)

Application For Soil/Water Compatibility Permit and Permit To Appropriate Water



- ☒ New ☐ Vested Right ☐ Amend Permit No. _____
☐ Change Acreage ☒ Change diversion point(s) ☐ Add diversion point(s)
☐ Add Acreage ☐ Increase diversion rate ☒ Other See Permit No. 2137-3

1. Name of Applicant Edward Poppen Phone No. 854-3079
Post Office Address RL Box 116 Desert State SDak 57231
(Street, RR or Box) (City) Zip Code

2. Amount of water claimed (c.f.s) no add'l Total acres irrigated 8 add'l
3. Source of Water supply well
4. Location of point of diversion SW 1/4 NW 1/4 Section 12-T112N-R57W

County Kingsbury
5. Counties where water will be used Kingsbury
6. Annual period during which water is to be used April 1 thru October 31
7. List below each forty acre subdivision, or lot, or fraction thereof and show number of acres to be irrigated in each.

Land Description	No. Acres Irr.
NW 1/4 NW 1/4	26
NE 1/4 NW 1/4	15
SW 1/4 NW 1/4	27
SE 1/4 NW 1/4	30

Land Description	No. Acres Irr.

Section 12-T112N-R57W

Attach sheet if more space is needed

8. Type of Irrigation: Gravity: _____ Towline: _____ Center Pivot: _____ Gun: X Other: _____ (Specify) _____
9. Crops to be Irrigated: corn, beans, small grain, alfalfa
10. Give a description of proposed project. (Attach sheet if more space is needed)

This application is to correct the location of the diversion point permitted under Water Permit No. 2137-3. Also, to add additional acres not covered under Water Permit No. 2137-3.

Attachments: Attach Form 2A if diversion from a well or dugout, or if storage of water, is proposed. Attach maps, soils information and any other technical information.

STATE OF SOUTH DAKOTA
County of Kingsbury

I, Edward Poppen, the applicant, certify that I have read this application and examined the attached maps, that the water sample, if needed, has been taken by the required procedures and has not been adulterated or tampered with and is truly representative of the water to be used, and that the matters stated in this application are true and correct.

Signed Edward Poppen

Subscribed and sworn to before me this 18th day of November 1991

My Commission Expires April 7, 1992 Notary Public



DEPTH TO GRAVEL (INCHES)

- 0"–10" 5S7Z
- 10"–20" 4S7Z + 4M7Z
- 20"–30" 3M47Z
- 30"–40" 2M4

BASIC INTAKE
RATE SPRINKLER

- 0.9"/HR.
- 0.6"–0.8"/HR.
- 0.6"–0.8"/HR.

ED. POPPEN IRRIGATION SOILS MAP

A.B. 1, 2 etc. Soil Test Holes

Scale 1" = 200'

Appl 5595-3

Edward Poppen - Irrigation
NW 1/4-12 T112 R 57
Kingsbury County South Dakota

U. S. DEPARTMENT OF AGRICULTURE
SOIL CONSERVATION SERVICE

Designed	Date	Approved by
Drawn		Title
Traced		Title
Checked		Sheet No. 1 of 1
		Drawing No.

**SOUTH DAKOTA
WATER PERMIT No. 5595-3 FOR IRRIGATION**

Date of first receipt of application November 12, 1991.
Date Soil/Water Compatibility Permit received December, 1974.
Date of return to applicant for corrections, amendments or changes
November 13, 1991.
Date of receipt of corrected application November 22, 1991.

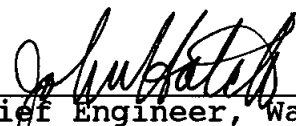
The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 5595-3 to Edward Poppen, RR 1, Box 116, DeSmet SD 57231 authorizing the construction of the water use system and the placing of water to beneficial use subject to the following limitations, conditions and qualifications:

1. Water Permit No. 5595-3 irrigate 8 additional acres. Water Permit No. 2137-3 appropriates 1.28 cubic feet of water per second from one well 42 feet deep (Vermillion East Fork Aquifer) located in the SW 1/4 NW 1/4 Section 12 to irrigate 90 acres located in the NW 1/4 Section 12; all in T112N-R57W. This permit is to irrigate 8 additional acres located in the NW 1/4 Section 12-T112N-R57W from the existing well. This permit does not authorize any increase in the developed diversion rate.
2. The amount of the appropriation may not exceed 2 acre feet annually for each acre of land to which water is actually and beneficially applied for irrigation. The water is to be used during the following described annual period: April 1 - October 31.
3. The date from which applicant may claim right is November 12, 1991.
4. The date of approval of Permit No. 5595-3 is February 4, 1992.
5. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

QUALIFICATIONS

1. The well approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
2. This permit is approved subject to the irrigation water use questionnaire being submitted each year.

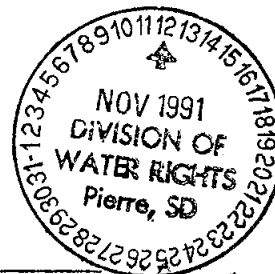
WATER MANAGEMENT BOARD

By: 
Chief Engineer, Water Rights Division
Department of Environment and Natural Resources

MAR 24 1992
date

Supplemental Information

(type or print in ink)



1. Well Information - Proposed construction

- a) Drill Hole Diameter 32" Depth 37'
- b) Casing Type steel Diameter 16" Thickness standard
- c) Screen Type Johnson Diameter 16" Thickness 10'
- d) Gravel Pack Thickness 8' Length of Gravel Pack 37'
- e) Depth to Top of Water Bearing Material 20'
- f) Depth to Water (ground surface to water level) 17'
- g) Distance to nearest existing domestic well:
On applicants property 60 rods On property owned by others 1/2 mile

2. Dugout Information Estimates

- a) Surface Dimensions _____ Depth _____
- b) Depth to water (ground surface to water level) _____

3. Water Storage Dams

If the proposed water use system contains one or more storage dams, please furnish the information requested below. The locations of each dam should be shown on the map submitted with the application.

- a) If a private engineering firm or government agency was involved in the design of this dam please give their name and address

b) Freeboard _____

c) Crest Width _____

Crest Length _____

d) Height _____

e) Primary Outlet Capacity _____
If Pipe, diameter _____

f) Secondary Spillway Capacity _____
Spillway width _____

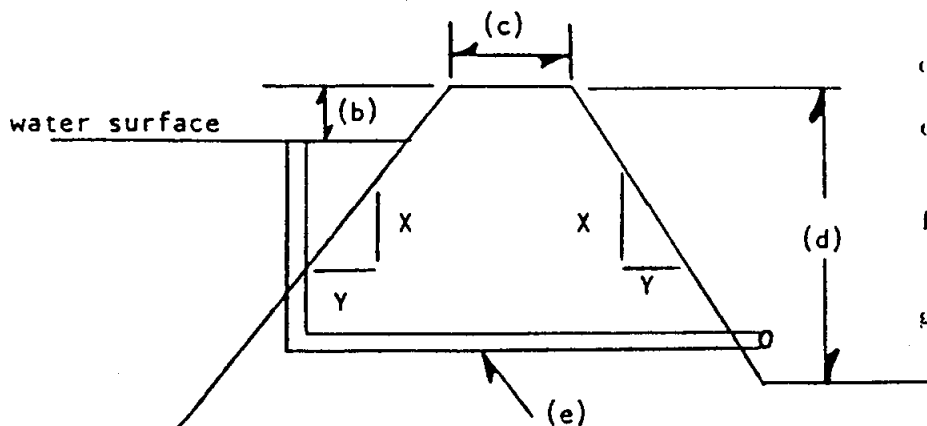
g) X & Y Slope
Upstream _____

Downstream _____

Surface Area of Impoundment _____

Storage _____ acre feet

Drainage area above dam _____



Edward Lopez
Signature of Applicant

75

NOTICE OF WELL CONSTRUCTION

(1) WELL CONSTRUCTION

Location of well: N 1/4 W 1/4 Section 12 Township 112 Range 56
 Well owner Edward Poppen Desmet S. Dak
 Date well drilling completed 8-23-77 Purpose of well irrigation
(Name) (Address) (domestic, irrigation, municipal, industrial, other)

WELL LOG

Layers, top to top in feet	Description of layer
0 1	Top soil
1 22	yellow gravel
22 42	gray gravels
42 50	Blue clays

Depth to top of water producing aquifer 22' ft.
 Depth to static water level 22' ft.
 Name of producing aquifer (if known) _____
 Total depth of drill hole 43' ft.
 Depth to bottom of casing 42' ft.

Casing information in the space below show kind, size, weight, length per diameter, etc., for production casing and surface casing, if used.
Steel 14" x 20'

Screen information in the space below show length of screen below bottom of casing, diameter and kind of screen or casing perforations.
10'-14" - Johnson stainless pipe 304

If a flowing well, flow of completed well _____ G.P.M.

Attach sheet if more space is needed

Raisen
 Name of Drilling Contractor

(2) PUMP INSTALLATION

Company name and size of pump _____ HP
 Type of pump _____ Capacity of installed pump _____ G.P.M.
 Depth of pump placement _____ ft., Date of pump installation _____

(3) WATER SURFACE MEASURING TUBE

On some wells an air-tight water surface measuring tube is required: See Section 46.408 of Chapter 46.4, MINIMUM WELL CONSTRUCTION STANDARDS.

Show exact vertical length of water surface measuring tube, when installed _____ ft., tube diameter _____, tube material _____

 Name of Pump Installation Contractor



RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

412913

Pierre, November 14, 1991

RECEIVED OF Pleasant Ridge Farm No. 2, RR 1, Box 116, DeSmet, SD 57231

the following amount in fees for services rendered as provided for by law:

Fee for Application for Permit No. <u>5595-3</u> to Appropriate Water, to construct works and to put water to beneficial use _____	150	00
Fee for Application for Permit No. _____ to Appropriate Water for Future Use _____		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form _____		
Fee for Filing Extension Request _____		
Fee for Certified Copy of _____		
Fee for Print Copy of Map _____		
Fee for Certifying _____		
Fee for _____		
(Any Other Work Provided by Law)	Total	150 00

By

John Hatch (CF)

Chief Engineer



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3181

GREAT FACES. GREAT PLACES.

October 3, 1991

Richard Poppen
RR 1
DeSmet, SD 57231

Dear Mr. Poppen:

This is in regard to the inspections I made on September 16, 1991 for Water Permit Nos. 2137-3 and 4633-3. At that time, I found that the irrigation system covered by 4633-3 was not developed as permitted. Therefore, you will need to make an application for a new water permit to correct the discrepancies. Application No. 4633-3 and the advertized notice of hearing on this application to appropriate water said the diversion point was to be located in the approximate center of the NE 1/4 of Section 11-T112N-R57W. Your well is located approximately 990 feet to the northwest of the center. This is located outside of the 660 foot advertized range for a change of diversion point. Enclosed, you will find an application to correct the well location on Water Permit No. 4633-3. Carefully review and complete the enclosed forms. Then, sign them in the presence of a notary public. Return these forms, a \$50.00 application filing fee, and a final well log for your production well to this office.

While I was inspecting Water Permit 2137-3, I found a discrepancy between the permitted location, the acreage, and the actual location of the acreage. This well is located 990 feet south of the advertized range which was in the NW 1/4 NW 1/4 Section 12-T112N-R57W. This well is outside the 660 foot advertized range. Also, the water permit allows only 90 irrigated acres. I found 98 irrigated acres. I have enclosed a map of the lands, marked in red, that you pointed out were irrigated. Please make any corrections, if necessary, on the map. Enclosed, you will find an application to change the well location and to add additional acres onto Water Permit No. 2137-3. This permit is in Edward Poppen's name. Carefully review and complete this application, then have Edward Poppen sign this application in the presence of a notary public. Return this application along with a \$150.00 application filing fee.

If you have any questions, feel free to contact me.

Sincerely,

Norma C. Job
Natural Resources Engineer I
Division of Water Rights
(605) 773-3352

enclosures

South Dakota

GREAT FACES. GREAT PLACES.

November 13, 1991



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3181

Edward Poppen
RR 1, Box 116
DeSmet SD 57231

Dear Mr. Poppen:

Your water permit application received on November 12, 1991, is being returned because the application must be notarized.

Upon receipt of the notarized application, further processing will continue. If you have any questions, please contact this office.

Sincerely,

Karen Schlaak

Karen Schlaak
Natural Resources Analyst
605 773-3352

enclosure

REPORT ON WATER PERMIT APPLICATION NO. 5595-3
EDWARD POPPEN
DECEMBER 2, 1991

Application No. 5595-3, Edward Poppen, proposes to irrigate 8 additional acres. Water Permit No. 2137-3 appropriates 1.28 cubic feet of water per second (cfs) from one well 42 feet deep located in the SW 1/4 NW 1/4 Section 12 to irrigate 90 acres located in the NW 1/4 Section 12; all in T112N-R57W. This application is to irrigate 8 additional acres located in the NW 1/4 Section 12-T112N-R57W from the existing well. This application, if approved, does not authorize any increase in the developed diversion rate.

Aquifer - Vermillion East Fork - Spirit Lake (VEF-SL)

The Vermillion East Fork aquifer, generally unconfined, is composed of glacial outwash, medium to very coarse sand and fine gravel. The VEF - SL is recharged by precipitation and leakage from adjacent and underlying till. The aquifer's regional flow generally flows southward and the local flow flows toward the lakes (Hamilton, 1989). The VEF - SL aquifer covers an area of 9,200 acres with 20,700 acre-feet of recoverable water (Hedges, 1982). Long term effects of withdrawals through wells are limited because of extensive recharge and unconfined conditions.

Review of Existing Water Rights/Permits

There are 2 permits (Water Permit Nos. 2137-3 and 4633-3) appropriating water from the VEF - SL aquifer. Water Permit No. 2137-3 is the permit which this application is adding acres to. Water Permit No. 4633-3 is owned by Richard Poppen. According to the 1990 irrigation questionnaires, there is a total of 550 acre-feet of water appropriated and a reported pumpage of 3 acre-feet (Irrigation Reports, 1990).

The Division of Water Rights monitors 2 observation wells completed into the VEF-SL aquifer in Kingsbury County. The water level records indicate the aquifer responds to climatic conditions, that is rising during a wet year (recharge) and declining during a dry year. Annually, water levels from the observation wells can be expected to fluctuate 1 to 2 feet per year due to pumping (Water Rights, 1991). The water level records indicate the aquifer is capable of sustaining additional withdrawals.

Conclusions

1. If this application is approved, Water Permit No. 2137-3 and this application should be incorporated into one Water License for 98 irrigated acres appropriating .66 cfs.
2. Water is available from the VEF-SL aquifer.

3. Interference is not expected to be a problem.
4. Subject to the irrigation questionnaire being submitted each year.

Norma C. Job

NORMA C. JOB
Natural Resources Engineer I

Approved by:

James A. Goodman

JAMES A. GOODMAN, PE
Natural Resources Engineer IV

References

Hamilton, L.J., 1989, Water Resources of Brookings and Kingsbury Counties, SD, USGS Water-Resources Investigations Report 88-4185, SDGS, Brookings and Kingsbury Counties, East Dakota Water Development District, Huron, SD 57350.

Hedges, L.S., 1982, Evaluation on Ground Water Resources Eastern SD and Upper Big Sioux River, SD and Iowa, for US Army Corps of Engineers, SD DWR, SDGS, Vermillion, SD 57069.

Water Rights, 1991, Water Level Records for the Vermillion East Fork -Spirit Lake Aquifer in Clark County, SD DENR, Division of Water Rights, Pierre, SD, 57501.

Goodman, James A., 1990, Report on Application No. 5426-3, Kingbrook Rural Water System, SD DWR, Division of Water Rights, Pierre, SD 57501.

Division of Water Rights, 1990, Irrigation Reports, SD DENR, Division of Water Rights, Pierre, SD 57501.

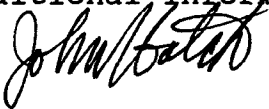
RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 5595-3, Edward Poppen

Pursuant to SDCL 46-2A-2, the following is the recommendation of the Chief Engineer, Water Rights Division, Department of Environment and Natural Resources concerning Water Permit Application No. 5595-3, Edward Poppen, RR 1 Box 116, DeSmet, SD 57231.

The Chief Engineer is recommending APPROVAL of Application No. 5595-3 because 1) there is reasonable probability that there is unappropriated water available for the applicant's proposed use, 2) the proposed diversion can be developed without unlawful impairment of existing rights, 3) the proposed use is a beneficial use and 4) in the public interest with the following qualifications:

1. The well approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
2. This permit is approved subject to the irrigation water use questionnaire being submitted each year.

See report on application for additional information.


JOHN HATCH, Chief Engineer
December 13, 1991



GREAT FACES. GREAT PLACES.

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3181

NOTE: TO BE SURE OF PUBLICATION ON
THE CORRECT DATES, CONTACT
THE NEWSPAPER RIGHT AWAY.

December 30, 1991

Edward Poppen
RR 1 Box 116
DeSmet, SD 57231

Dear Mr. Poppen:

Water Permit Application No. 5595-3 for irrigation use has been examined and found to comply with the South Dakota Water Laws and applicable rules. A notice of hearing has been sent to the Publisher of the DeSmet News printed at DeSmet, SD. For your information, a copy of the notice, the recommendation of the Chief Engineer and a report on the application are enclosed. Please review the notice prior to publication and notify this office, if you have any corrections or questions.

Be sure to contact the above newspaper to authorize publication of your Notice of Hearing and to arrange for payment. Early contact with the paper can eliminate delays. The publisher has been instructed to publish your notice once each week for two consecutive weeks with the last publication to occur twenty days before the board meeting. The newspaper has been instructed to send us the Proof of Publication. We must receive Proof of Publication before action can be taken on the application.

Sincerely,

Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

NOTE: If you plan to contest any part of the Chief Engineer's recommendation, you must file a petition pursuant to the procedures outlined in the attached notice of hearing. The Water Management Board will then consider your concerns during a hearing on the application.



GREAT FACES. GREAT PLACES.

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3181

December 30, 1991

DeSmet News
Box 69
DeSmet, SD 57231

ATTENTION: Legal Department

Enclosed is a Notice of Hearing on Application No. 5595-3 to be published twice. Please publish the first notice on January 8, 1992, with the second publication 7 days later.

The APPLICANT MUST VERIFY TO YOU THAT THE NOTICE IS TO BE PUBLISHED, before you make the first publication. Please BILL the APPLICANT for the cost of publication. The APPLICANT is Edward Poppen, RR 1 Box 116, DeSmet, SD 57231.

A copy of BOTH publications must be SENT to the WATER RIGHTS DIVISION. IMMEDIATELY return the FIRST publication with the FIRST Transmittal form on the bottom of this page. The first copy is needed to check the publication for errors so any corrections can be made in the second publication. Publication errors can invalidate the public notice and cause the applicant costly delays.

Please be sure the SECOND publication is returned IMMEDIATELY with the enclosed Proof of Publication form. DO NOT WAIT until the end of the month or the billing cycle. No action may be taken on the permit application until proof of publication has been received.

Sincerely,

Eric Gronlund

Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

-----CUT HERE-----

FIRST TRANSMITTAL NOTICE

TO: Eric Gronlund
Water Rights Division
Joe Foss Building
Pierre SD 57501-3181

No. _____

Date _____

We are in receipt of your letter of _____ enclosing Notice of Hearing to
Appropriate Water by Application No. _____ which was first published in our issue
of _____. ENCLOSED IS A COPY OF THIS FIRST PUBLICATION.

Name _____

Newspaper _____

Instruction to Newspaper - Publish first Notice on January 8, 1992, with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF HEARING on Application No. 5595-3 to Appropriate Water
and to Amend Water Permit No. 2137-3

Notice is given that Edward Poppen, RR 1 Box 116, DeSmet, SD 57231 has filed an application for a water permit to irrigate 8 additional acres. Water Permit No. 2137-3 appropriates 1.28 cubic feet of water per second from one well 42 feet deep (Vermillion East Fork Aquifer) located in the SW 1/4 NW 1/4 Section 12 to irrigate 90 acres located in the NW 1/4 Section 12; all in T112N-R57W. This application is to irrigate 8 additional acres located in the NW 1/4 Section 12-T112N-R57W from the existing well. This application, if approved, does not authorize any increase in the developed diversion rate.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 5595-3 because 1) unappropriated water is available, 2) existing rights will not be unlawfully impaired, 3) it is a beneficial use of water, and 4) it is in the public interest. Unless a petition is filed opposing the application or the applicant files a petition contesting the chief engineer's recommendation, the Water Management Board will NOT CONDUCT a HEARING to consider this application and the chief engineer will issue the permit as recommended. Petitions filed in support of the application will NOT require the Board to hear the application.

Any person interested in opposing or supporting this application must file a written petition with BOTH the applicant and Chief Engineer. The applicant must also file a petition if opposed to the Chief Engineer's recommendation. The Chief Engineer's address is "Water Rights Division, Foss Building, 523 E Capitol, Pierre SD 57501 (605 773-3352)" and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by January 27, 1992. The petition may be informal, but must include a statement describing the petitioner's interest in the application, the petitioner's reasons for opposing or supporting the application, and the signature and mailing address of the petitioner or the petitioner's legal counsel, if legal counsel is obtained.

For purposes of publishing 1) the notice of hearing on Application No. 5595-3 and 2) the chief engineer's recommendation, a meeting at the Division of Water Rights office to hear this application is scheduled for February 4, 1992, at 9:00 am in Room 413, Joe Foss Building, 523 E Capitol, Pierre SD. If this application is opposed or the recommendation is contested, the February 4, 1992, hearing date will be rescheduled for a regularly scheduled Board meeting. Notice of the time and place of the rescheduled hearing before the Board will be given by First Class Mail to the applicant and persons filing petitions. Anyone not filing a petition, but interested in attending the hearing, may contact the Division of Water Rights to confirm a hearing date and location. The February 4, 1992, hearing date will be automatically delayed for at least 20 days upon written request to the Chief Engineer from the applicant or any interested person opposing the application. The request for an automatic delay must be filed by January 27, 1992.

If a hearing is held, the Chief Engineer's recommendation is not final or binding upon the Board. The Board is authorized to 1) approve, 2) approve with qualifications, 3) defer, or 4) deny this application based on the facts presented at the public hearing. Any hearing will be an adversary proceeding. Any person filing a petition and/or the applicant have the right to be represented by a lawyer and may present evidence or cross-examine witnesses according to SDCL 1-26. These and other due process rights will be forfeited if not exercised. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law. Contact the Water Rights Division to request copies of information pertaining to this application or to assure access to the hearing by the handicapped.

This application is made pursuant to SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-16; 46-2-3.1, 46-2-9, 46-2-11, 46-2-13, 46-2-17; 46-2A-1 thru 46-2A-10, 46-2A-12, 46-2A-14, 46-2A-15; 46-5-1 thru 46-5-11, 46-5-13 thru 46-5-15, 46-5-24, 46-5-25, 46-5-30.2, 46-5-30.4, 46-5-31; 46-6-3, 46-6-3.1, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14, 46-6-26; and Board Rules ARSD 74:02:01:01 thru 74:02:01:15.

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
 County Kingsbury) ss.

I, Dale Blegen

certify that the attached printed De Smet News
 from the _____

A newspaper which during the whole time of publication of
 said notice herein after stated, has been and is printed and
 published in the _____ City

_____ of De Smet

County of Kingsbury and State of South Dakota;
 that the said notice was published in said newspaper on the
 following two dates:

January 8, 1992

January 15, 1992

Dale Blegen
 (Signature)
Publisher
 (Title)
Jan. 16, 1991
 (Date Signed)

Cost of Printing: 59.17

NOTICE OF HEARING
 on Application No. **5595-3** to
 Appropriate Water and to Amend
 Water Permit No. **2137-3**

Notice is given that Edward Poppen, RR 1 Box 116, De Smet, SD 57231 has filed an application for a water permit to irrigate 8 additional acres. Water permit No. 2137-3 appropriates 1.28 cubic feet of water per second from one well 42 feet deep (Vermillion East Fork Aquifer) located in the SW 1/4 NW 1/4 Section 12 to irrigate 90 acres located in the NW 1/4 Section 12; all in T112N-R57W. This application is to irrigate 8 additional acres located in the NW 1/4 Section 12-T112N-R57W from the existing well. This application, if approved, does not authorize any increase in the developed diversion rate.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends Approval of Application No. 5595-3 because 1) unappropriated water is available, 2) existing rights will not be unlawfully impaired, 3) it is a beneficial use of water, and 4) it is in the public interest. Unless a petition is filed opposing the application or the applicant files a petition contesting the chief engineer's recommendation, the Water Management Board will NOT CONDUCT A HEARING to consider this application and the chief engineer will issue the permit as recommended. Petitions filed in support of the application will NOT require the Board to hear the application.

Any person interested in opposing or supporting this application must file a written petition with BOTH the applicant and Chief Engineer. The applicant must also file a petition if opposed to the Chief Engineer's recommendation. The Chief Engineer's address is "Water Rights Division, Foss Building, 523 E Capitol, Pierre SD 57501 (605 773-3352)" and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by January 27, 1992. The petition may be informal, but must include a statement describing the petitioner's interest in the application, the petitioner's reasons for opposing or supporting the application, and the signature and mailing address of the petitioner or the petitioner's legal counsel, if legal counsel is obtained.

For purposes of publishing 1) the notice of hearing on Application No. 5595-3 and 2) the chief engineer's recommendation, a meeting at the Division of Water Rights office to hear this application is scheduled for February 4, 1992 at 9:00 am in Room 413, Joe Foss

Building, 523 E Capitol, Pierre SD. If this application is opposed or the recommendation is contested, the February 4, 1992, hearing date will be rescheduled for a regularly scheduled Board meeting. Notice of the time and place of the rescheduled hearing before the Board will be given by First Class Mail to the applicant and persons filing petitions. Anyone not filing a petition, but interested in attending the hearing, may contact the Division of Water Rights to confirm a hearing date and location. The February 4, 1992, hearing date will be automatically delayed for at least 20 days upon written request to the Chief Engineer from the applicant or any interested person opposing the application. The request for an automatic delay must be filed by January 27, 1992.

If a hearing is held, the Chief Engineer's recommendation is not final or binding upon the Board. The Board is authorized to 1) approve, 2) approve with qualifications, 3) defer, or 4) deny this application based on the facts presented at the public hearing. Any hearing will be an adversary proceeding. Any person filing a petition and/or the applicant have the right to be represented by a lawyer and may present evidence or cross examine witnesses according to SDCL 1-26. These and other due process rights will be forfeited if not exercised. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law. Contact the Water Rights Division to request copies of information pertaining to this application or to assure access to the hearing by the handicapped.

This application is made pursuant to SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-16; 46-2-3.1, 46-2-9, 46-2-11, 46-2-13, 46-2-17; 46-2A-1 thru 46-2A-10, 46-2A-12, 46-2A-14, 46-2A-15; 46-5-1 thru 46-5-11, 46-5-13 thru 46-5-15, 46-5-24, 46-5-25, 46-5-30.2, 46-5-30.4, 46-5-31; 46-6-3, 46-6-3.1, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14, 46-6-26; and Board Rules ARSD 74:02:01 thru 74:02:01:15.
1-8-2wc-1-15



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3181

MAR 24 1992

Edward Poppen
RR 1 Box 116
DeSmet, SD 57231

Dear Mr. Poppen:

Enclosed is Water Permit No. 5595-3 authorizing your water diversion system and beneficial use of the water, not exceeding the limits as specified in the Water Permit.

The final inspection has been completed on this Permit, and we are ready to issue the Water License. Statutes require we charge \$50 for the inspection and issuance of the final papers. Upon receipt of this amount the Water License will be sent to you.

Very truly yours,

JOHN HATCH, Chief Engineer
Water Rights Division
605 773-3352

enclosures

Permit No. 2137-3 & 5595-3Vermillion River Water District**Report Of Examination Of Works And/Or Application Of Water To Beneficial Use**

TO: Chief Engineer, Division of Water Rights, DWRN, Foss Bldg., Pierre, SD 57501

I have this day made a thorough examination of the water use system constructed by Edward Pappen
_____ of De Smet SD holder ofPermit No. 2137-3, bearing the priority of October 28 19 74 authorizing
the diversion of 1.28 cu. ft. per second of the waters of groundwater
for irrigation purposes, in Kingsbury County.

I have to report on the conditions of the same as follows:

A. Works used to divert the water: 30HP - Berkley pump - Model No. 1001 H-4
powered by a U.S. Electric Model No. 286TPH capable of
300 gpm.B. Works used to transport water to place of use:
1800' of 6" Aluminum pipeC. Works used to apply water to beneficial use:
Aerain - Water wheel 35 capable of 300 gpmThe system is in the following condition goodThe point of diversion is located 860' East and 2340' South of the
NW corner Section 12-T112N-R57WThe works are capable of diverting and conveying to the place of use .66cu. ft. per second of water which is to be used for irrigationWater has been put to beneficial use to the maximum extent as follows: Section 12-T112N-R57WNW 1/4 NW 1/4 - 26 AcresNE 1/4 NW 1/4 - 15 AcresSE 1/4 NW 1/4 - 27 AcresSW 1/4 NW 1/4 - 30 Acrescomprising a total of 98 acres of land and the license should be issued for .66 cfsApplicable permit qualifications have been complied with Yes X NoExceptions to compliance are: needs permit for 8 additional Date 9/16/1991
acresNorma C. Job
(signature)

LICENSE FOR PERMIT NUMBER 2137-3

1. Legal location of wells: SW 1/4 NW 1/4 Section 12 - T112N - R57W

dams & structures: _____

2. Well Information: Well Drilling Firm Kaiser Drilling

Completion Report Yes No No. of Wells 1 Depth 42

Casing a) diameter 14" Screen a) type Stainless Steel

b) length 20' b) length 10'

c) type Steel Static Water Level 22'

Pump a) make Berkley Motor a) make U.S. Electric

b) model SN-7701319 b) model No. 286TPH

c) size _____ c) horsepower rating 30

d) capacity 300 gpm

e) turbine pump - no. of stages _____

f) operating PSI 90

3. Distribution lines or canals

a) size 6"

b) type Alum

c) length 1800'

4. Dam Information:

a) height to crest _____ m) Outlet tubes:

b) height to primary spillway _____ 1) diameter _____

c) height to secondary spillway _____ 2) type _____

d) crest width _____ 3) valved (Y/N) _____

e) crest length _____ 4) valve type _____

f) spillway length _____ 5) location on structure _____

g) spillway width _____

h) approx. storage _____ n) Category of Dam _____

i) approx. storage to crest _____

j) date constructed _____

k) inspection sheet completed (Y/N) _____

l) Name of Contractor _____

5. System Type a) sideroll:

- 1) length _____ feet
- 2) diameter of pipe _____
- 3) make, model & number of sprinklers _____
- 4) spacing of sprinklers _____
- 5) nozzle size _____

c) gun

- 1) make AERain - Water Wench 35
- 2) nozzle size 1 1/4
- 3) capacity (GPM) 300
- 4) hose size 4"
- 5) hose length 660'

e) gated pipe

- 1) length _____
- 2) diameter _____
- 3) spacing of gates _____

f) portable boom

- 1) make _____
- 2) nozzle size _____
- 3) capacity (GPM) _____

b) towline:

- 1) length _____ feet
- 2) make, model & number of sprinklers _____
- 3) spacing of sprinklers _____
- 4) nozzle size _____

d) center pivot

- 1) make _____
- 2) number of towers _____
- 3) distance between towers _____
- 4) overall length _____
- 5) end gun (Y/N) _____
- 6) high or low pressure _____
- 7) make & size of nozzles _____
- 8) capacity (GPM) _____

g) siphons

- 1) size _____
- 2) number _____

NOTE: For Permits with additional wells or changes in well locations, record the following for each well: pumping capacity, date constructed, well driller and if a well log is available.

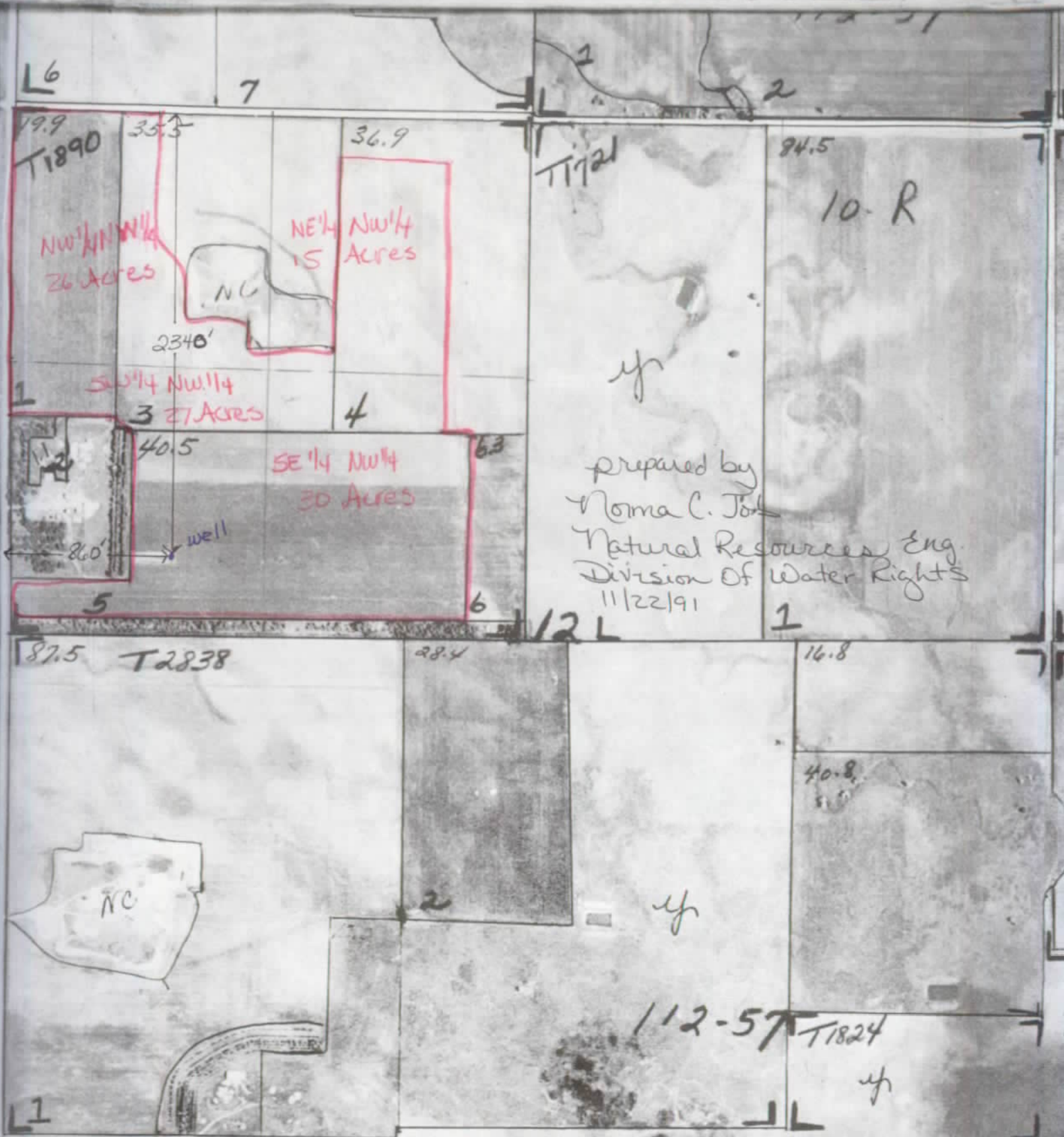
Indicate any other permit(s) which are associated with project _____

Yes	No	Check Items
<u>X</u>	___	1. Soil and water permit lands agree with lands being irrigated and lands listed on permit?
<u>X</u>	___	2. Special qualifications to permit being abided by?
<u>X</u>	___	3. All structures, wells and lands on map?
<u>X</u>	___	4. Irrigation Questionnaires checked to determine if permit owner started irrigation by end of construction period?
___	<u>X</u>	5. Is chemigation used?
___	___	6. If yes, does equipment comply with chemigation rules?

REMARKS:

2137-3

NOT TO SCALE



5595-3

STATE OF SOUTH DAKOTA
WATER LICENSE NO. 5595-3

(1) Edward Poppen of RR 1, Box 116, DeSmet, SD 57231 made Application No. 5595-3, November 12, 1991 for a water permit to appropriate no additional cubic feet of water per second from groundwater (one well), Kingsbury County, South Dakota for irrigation purposes. Permit No. 5595-3 with a priority date of November 12, 1991 was approved February 4, 1992 and issued to applicant(s) for diversion of water with construction of the described water supply system completed and the application to beneficial use of said water completed.

Water Permit No. 5595-3 authorized irrigation of an additional 8 acres to land developed under Water Permit No. 2137-3. No. 5595-3 did not allow for an increase in the developed diversion rate.

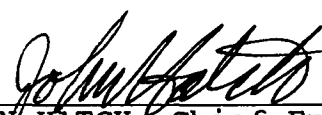
The applicable portions of Water Permit No. 2137-3 have been incorporated into this Water License No. 5595-3. A priority date of November 12, 1991 is retained for 8 of the 98 total acres irrigated. A priority date of October 28, 1974 (established under No. 2137-3) is retained for the remaining 90 acres.

(2) It is certified that the applicant has complied with the provisions of South Dakota State Law relating to completion of the construction of the water supply system and is entitled to divert 0.66 cubic feet of water per second for beneficial use. The location of the diversion point is: 860'E and 2340'S of the NW corner Section 12, T112N, R57W (SW 1/4 NW 1/4).

(3) The applicant has complied with the provisions of South Dakota State Law relating to the application of water to beneficial use to irrigate the following land:

T112N, R57W Section 12	NW 1/4 NW 1/4	26 Acres
	NE 1/4 NW 1/4	15 Acres
	SE 1/4 NW 1/4	27 Acres
	SW 1/4 NW 1/4	30 Acres
	Total-----	98 Acres

(4) Pursuant to Section 46-5-30.1 Edward Poppen of RR 1, Box 116, DeSmet, SD 57231 the holder(s) and/or owner(s) of Incorporated Water Permit No. 5595-3 is issued a license to appropriate water, the right to use 0.66 cubic feet of water per second from groundwater (one well) with priority dates of October 28, 1974 and November 12, 1991 from the location specified in (2) of this license. The water is to be conducted to and upon lands specified in (3) of this license for the purpose of irrigation. This license is subject to any limitations or qualifications listed in Incorporated Water Permit No. 5595-3 and subject to South Dakota State Law.


AUG 12 1992
JOHN HATCH, Chief Engineer
Water Rights Division
Department of Environment and
Natural Resources

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

413162

Pierre, April 2, 19 92

RECEIVED OF Edward Poppen, RR 1 Box 116, De Smet, SD 57231

the following amount in fees for services rendered as provided for by law:

Fee for Application for Permit No. _____ to Appropriate Water, to construct works and to put water to beneficial use _____		
Fee for Application for Permit No. _____ to Appropriate Water for Future Use _____		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. <u>5595-3</u>	50	00
Fee for Filing Transfer Form _____		
Fee for Filing Extension Request _____		
Fee for Certified Copy of _____		
Fee for Print Copy of Map _____		
Fee for Certifying _____		
Fee for _____		
(Any Other Work Provided by Law)	Total	50 00

By John Hatch / [Signature]
Chief Engineer



AUG 12 1992

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3181

5595-3

Edward Poppen
RR 1, Box 116
DeSmet, SD 57231

Dear Mr. Poppen:

Enclosed is Water License No. 5595-3. This is the final water right document completing your process of obtaining a Water Right. Enclosed is Receipt No. 413162 in the amount of \$50.00 which you paid for the inspection and issuance of the Water License.

For your information SDCL 46-6-27 requires that if the owner of an existing well, such as the well authorized by Water Right No. 5595-3, constructs a replacement well and does not plan to use the old well, the old well is considered abandoned and must be plugged. Also, any well that is being used or is not considered abandoned must be valved and controlled, if flowing, or sealed and capped so that no leaking occurs either underground or at the surface.

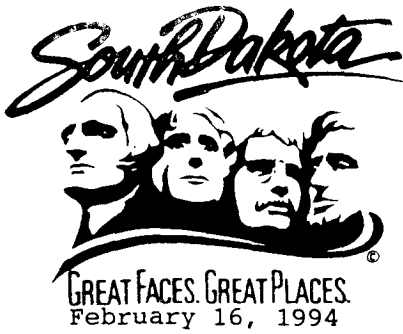
As long as you use the water beneficially, as stated in the Water License, the State Water Laws provide that you have a continuing right to use the water. If you have any questions, please contact our office.

Very truly yours,

JOHN HATCH, Chief Engineer
Water Rights Division
(605) 773-3352

enclosures

NOTE: The applicable portions of Water Permit No. 2137-3 have been incorporated into this Water License No. 5595-3.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3181

EDWARD POPPEN
RR 1 BOX 116
DESMET SD 57231

NOTICE

RE: Violation of Water Permit No(s) 5595-3

Our records indicate that the 1993 Irrigation Questionnaire has not been submitted for Permit No(s) 5595-3. The request for the Questionnaire was dated October 18, 1993. The Water Management Board has directed that owners of water permits who have not submitted the 1993 Irrigation Questionnaire be given notice of permit violation and a hearing to be held by the Board. The hearing held by the Board will determine the action to be taken for violation of Water Permit No(s) 5595-3 qualification:

"This permit is approved subject to the Irrigation Water Use Questionnaire being submitted each year."

The hearing will be held at 8:45 am, April 6, 1994, at the Golden Hills Resort, 900 Miners Ave, Lead, SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to SDCL 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 5595-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

The hearing is an adversary proceeding. The permit owner has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised. Decisions of the Board may be appealed to the Circuit Court and the State Supreme Court as provided by law.

If the questionnaire(s) is(are) received in this office on/or before April 1, 1994, you will no longer be in violation of your permit and your name will be deleted from the Board agenda.

Very truly yours,

Ron Duvall, Natural Resources Engineer IV
Water Rights Division
605 773-3352

Is your RETURN ADDRESS completed on the reverse side?

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, and 4a & b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

3. Article Addressed to

EDWARD POPPEN
RR 1 BOX 116
DESMET SD 57231

5. Signature (Addressee)

6. Signature (Agent)

I also wish to receive the following services (for an extra fee):

1. ☒ Addressee's Address

2. ☐ Restricted Delivery

Consult postmaster for fee.

4a. Article Number

P837 692 606

4b. Service Type

☐ Registered

☐ Insured

☒ Certified

☐ COD

☐ Express Mail

☐ Return Receipt for Merchandise

7. Date of Delivery

2-22-94

8. Addressee's Address (Only if requested and fee is paid)

Thank you for using Return Receipt Service.

PS Form 3811, December 1991 ☆ U.S.G.P.O. : 1992-307-530

DOMESTIC RETURN RECEIPT



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3181

February 23, 1994

5595-3

Edward Poppen
RR #1 Box 116
De Smet, SD 57231

Dear Mr. Poppen:

I am writing to acknowledge receipt of your 1993 irrigation questionnaire. You may disregard the February 16, 1994, **Notice of Violation of Water Permit No. 5595-3.**

The questionnaire was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

Genny McMath
Environmental Scientist
Water Rights Division
(605) 773-3352



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
PMB 2020
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182
www.denr.sd.gov

November 15, 2012

5595-3

Ruth Poppen
19738 429th Ave
DeSmet SD 57231

Dear Mrs. Poppen:

Thank you for returning the 2012 irrigation questionnaire for Water Right No. 5595-3.

In response to your notation concerning the ownership change, I am enclosing a partially completed Notice of Transfer of Ownership form. Please review the form and make any necessary corrections. Upon completion, please sign the form and return it to our office with a required filing fee of \$50.00. The check or money order for the fee can be made payable to the Water Rights Program.

In the event you do not have one, I am also enclosing a copy of the water right. If you have any questions concerning the water right or completion of the transfer form, please give me a call.

Sincerely,

A handwritten signature in black ink that reads 'Genny McMath'.

Genny McMath
Water Rights Program
(605) 773-3352
email: genny.mcmath@state.sd.us

enclosures

RECEIVED

NOV 28 2012

WATER RIGHTS
PROGRAM

Greetings -

Edward Pepper passed away on
April 1st, 2012. Ruth Pepper,
his wife, is listed with Edward on the
Property. Please let us know if
there is anything we need to do

Sincerely

Richard E Pepper

Ruth's Son

19739 429 Avenue

De Smet, SD
57231

605-520-3098

NOTICE OF TRANSFER OF OWNERSHIP

RECEIVED
NOV 28 2012
WATER RIGHTS
PROGRAM

To: Chief Engineer
Water Rights Program, DENR
523 E. Capitol
Pierre, SD 57501-3181

No. 5595-3

Date: _____

I/We request that Water Right No. 5595-3

formerly owned by: Edward Poppen

be transferred to: (name & address) Ruth Poppen, 19738 429th Ave, DeSmet SD 57231

Telephone No. 854-3179

Title to the following described land(s)/property has been transferred as described above:

98 acres – NW ¼ Section 12, T112N, R57W

I/We understand that the validity of Water Right No. 5595-3 has not been determined by this transfer action. If I/We have any questions on validity, I/We understand that only the Water Management Board has the authority to determine if a water permit/right is valid (see note).

You are requested to file this "Notice of Transfer" in the appropriate file with the Water Rights Program, as evidence of the change of ownership.

A fee of Fifty Dollars (\$50.00) is required to cover the filing fees as required under SDCL 46-2-13. This form must be signed by the new owner.

I/We Ruth Poppen, the new owner, certify that the above information is true and correct.

Ruth Poppen by Richard PDA
(Signed by new owner)

NOTE: Water permits may be cancelled for nonconstruction after the five year construction period has expired. Once a water permit is developed and the water used, the permit becomes a right. A water right may be lost for three reasons:

1. Abandonment - no intent to use water and use is abandoned.
2. Forfeiture - no use of water for three year period without legal excuse.
3. For a third violation of a condition of a water permit/right.

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date 11/28, 20 12

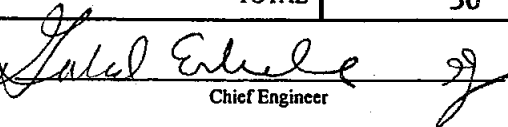
RECEIVED OF Edward Poppen 19738 429th Ave DE Smet SD 57231

The following amount in fees for services rendered as provided for by law:

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use	50	00
Fee for Application for Permit No. _____ to Appropriate Water for Future use		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form <u>5595-3</u>		
Fee for _____		
Fee for Issuing New Well Driller's License No. _____ for C.Y. _____		
Fee for Renewal of Well Driller's License No. _____ for C.Y. _____		
Fee for Issuing Well Pump Installer's License No. _____ for C.Y. _____		
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	50 00

No. **05716**

By


Chief Engineer



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
PMB 2020
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182
www.denr.sd.gov

January 3, 2013

5595-3

Ruth Poppen
19738 429th Ave
DeSmet SD 57231

Dear Mrs. Poppen:

I am writing to acknowledge receipt of the transfer form and filing fee you submitted for Water Right No. 5595-3.

The ownership change has been completed. Water Right No. 5595-3 formerly held by Edward Poppen is now listed in your name.

Enclosed for your records is Receipt No. 05716 in the amount of \$50. If you have any questions, please contact me.

Sincerely,

Genny McMath
Water Rights Program
(605) 773-3352
email: genny.mcmath@state.sd.us

enclosures



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182

denr.sd.gov

December 12, 2017

No. 5595-3

Richard Poppen
19739 429th Ave
DeSmet SD 57231

Dear Mr. Poppen:

Enclosed is a partially completed "Notice of Transfer" form for use in filing an ownership change on Water Right No. 5595-3. The water right is currently listed in the name of Ruth Poppen.

The transfer form should be checked over for accuracy and signed by the new owner. Upon completion, return the form to our office with a required filing fee of \$50.00.

South Dakota Water Law 46-5-30.3 requires Notice of any sale, grant, lease, conveyance or other transfer of a water permit or water right to appropriate water to be filed with this office within ninety days.

If you have any questions, please contact me.

Sincerely,

Karen Schlaak
Water Rights Program
605 773-3352
email: karen.schlaak@state.sd.us

enclosure

2017 Water Management Board Irrigation Questionnaire

Please fill out and return before **December 1, 2017**

REMEMBER! Return of this questionnaire is required whether or not you irrigated this year.

Return the completed form(s) to the Water Rights Program at 523 E Capitol, Pierre, SD 57501 3181 ph. (605) 773 3352 or send your form(s) electronically over the internet at <http://denr.sd.gov/iq.aspx>

Permit No. 5595-3

RICHARD POPPEN
RUTH POPPEN
19738 429TH AVE
DESMET SD 57231 5102

Any address/ownership corrections?

You may remove Ruth Poppen

Email

Death in June of 2017

Phone

19739 429th Ave

1. Did you irrigate in 2017? *yes ☒ **no ☐

*If yes, number of acres irrigated? 26

**If no, check reason(s) for not irrigating acres covered by Permit No. 5595-3

sufficient moisture ☐ no water available ☐

system not constructed ☐ use abandoned ☐

enrolled in CRP ☐, through what year? _____

other ☐, please explain in the Comment Box:

Comment Box

2. If your answer to question No. 1 is "no," you are done! If you answered "yes," please complete Nos. 3, 4 & 5.

3. Did you apply chemicals or fertilizer through the system in 2017? yes ☐ no ☒

4. If more than one water source is listed below, circle each source used. A. GROUNDWATER

5. Provide your water use on the back of this form.



NUNW	NENW	NUNE	NENE
NW		NE	
SWNW	SENW	SWNE	SENE
NWSW	NESW	NWSE	NESE
SW		SE	
SWSW	SESW	SWSE	SESE

1 square mile

Office use only

RECEIVED

NOV 28 2017

WATER RIGHTS
PROGRAM

Acreage permitted for irrigation under No. 5595-3

(see above section map for help reading legal descriptions)

sec 12-T112N-R57W, NW1/4NW1/4 - 26.00 acres

sec 12-T112N-R57W, NE1/4NW1/4 - 15.00 acres

sec 12-T112N-R57W, SE1/4NW1/4 - 27.00 acres

sec 12-T112N-R57W, SW1/4NW1/4 - 30.00 acres

Please provide your 2017 water use to irrigate the above acreage on the REVERSE side of this form.

NOTICE OF TRANSFER OF OWNERSHIP

RECEIVED

DEC 18 2017

WATER RIGHTS
PROGRAM

To: Chief Engineer
Water Rights Program, DENR
523 E. Capitol
Pierre, SD 57501-3181

No. 5595-3

Date:

Dec 15, 2017

I/We request that Water Right No. 5595-3

formerly owned by: Ruth Poppen

be transferred to: (name & address)

Richard E Poppen
19739 429 Ave
DeSmet, SD 57231

Telephone No.

~~572-71~~ 605-854-9286

Title to the following described land(s)/property has been transferred as described above:

98 acres - NW 1/4 Section 12-T112N-R57W

I/We understand that the validity of Water Right/Permit No. 5595-3 has not been determined by this transfer action. If I/We have any questions on validity, I/We understand that only the Water Management Board has the authority to determine if a water permit/right is valid (see note).

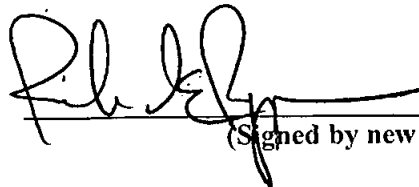
You are requested to file this "Notice of Transfer" in the appropriate file with the Water Rights Program, as evidence of the change of ownership.

A fee of Fifty Dollars (\$50.00) is required to cover the filing fees as required under SDCL 46-2-13. This form must be signed by the new owner.

I/We

Richard E Poppen

the new owner, certify that the above information is true and correct.



(Signed by new owner)

NOTE: Water permits may be cancelled for nonconstruction after the five year construction period has expired. Once a water permit is developed and the water used, the permit becomes a right. A water right may be lost for three reasons:

1. Abandonment - no intent to use water and use is abandoned.
2. Forfeiture - no use of water for three year period without legal excuse.
3. For a third violation of a condition of a water permit/right.

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date December 18, 20 17

RECEIVED OF Richard Poppen 19739 429th Avenue De Smet 57231-5102

The following amount in fees for services rendered as provided for by law:

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use	50	00
Fee for Application for Permit No. _____ to Appropriate Water for Future use		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form _____ 5595-3		
Fee for _____		
Fee for Issuing New Well Driller's License No. _____ for C.Y. _____		
Fee for Renewal of Well Driller's License No. _____ for C.Y. _____		
Fee for Issuing Well Pump Installer's License No. _____ for C.Y. _____	50	00
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	50 00

No. **08395**

By

Jeanne Goodman
Chief Engineer
Jm



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182
www.denr.sd.gov

December 19, 2017

5595-3

Richard E Poppen
19739 429th Ave
DeSmet SD 57231

Dear Mr. Poppen:

I am writing to acknowledge receipt of the transfer form and filing fee you submitted to change ownership on Water Right No. 5595-3.

The ownership change has been completed. Water Right No. 5595-3, formerly listed in the name of Ruth Poppen, is now listed in your name.

Enclosed for your records is Receipt No. 08395 in the amount of \$50. If you have any questions, please contact me.

Sincerely,

A handwritten signature in black ink that reads "Genny McMath". The signature is written in a cursive, flowing style.

Genny McMath
Water Rights Program
(605) 773-3352
email: genny.mcmath@state.sd.us